

PLANNING COMMISSION PACKAGE

September 1, 2016



MEMORANDUM

TO: Hampton Planning Commission

FROM: Keith Cannady, AICP
Planning and Zoning Administration Division Manager

DATE: August 19, 2016

SUBJECT: September Planning Commission Meeting

The next meeting of the Planning Commission is scheduled for Thursday, September 1st 2016. The agenda for September includes two separate but related public hearing items:

- Zoning Ordinance Amendments 195-2016 and 196-2016: taken together, these proposed amendments would add a new use to the zoning ordinance and permit this use to occur in certain districts and under specific conditions. Under this proposal a "banquet hall" would be permitted with a zoning administrator or use permit in the historic, mixed-use areas in the city with conditions designed to mitigate potential impacts on adjacent uses.

If you have any questions please let me know (728-5239 or kcannady@hampton.gov).



MEMORANDUM

TO: Planning Commission

FROM: Alison Alexander, Senior Planner
Community Development Department

SUBJ: Bicycle & Pedestrian Plan

BICYCLE & PEDESTRIAN MASTER PLAN

Bicycle & Pedestrian Event

A community event to celebrate cycling and walking is planned for September 24th, 2016 at Carousel Park. The event will be held from 8am to noon and include group runs and rides, safety information, activities for children, and information on the bicycle and pedestrian master plan.

Bicycle rides will be led by the Peninsula Bicycling Association and a historic walking tour will be led by the Hampton History Museum Staff. Hampton Bicycle Police will be on hand to educate citizens on bicycle safety and help children through a course where they can practice their bicycle skills. Community Development staff will be on hand to share information about the bicycle and pedestrian master plan and various vendors and exhibitors will be in attendance. We've developed routes for each skill level, and we hope you all will join us for the morning.

Master Plan Adoption

Bike Walk Hampton: A Strategic Bicycle & Pedestrian Plan is a plan focused on Hampton's seven master plan areas. Each of the seven master plan areas - Buckroe, Coliseum Central, Downtown, Fort Monroe, Kecoughtan, North King Street, and Phoebus - have a unique vision based on their specific physical characteristics and desires of the community. *Bike Walk Hampton* builds on the recommendations of each master plan and identifies bicycle and pedestrian connections within and between the master plan areas.

Components of the plan include benefits of a bicycle and pedestrian friendly city, existing bicycling and walking conditions in the City of Hampton, and results of a community survey. In response to community feedback and ideas in the survey, program and policy recommendations for creating a better bicycling and walking culture are included in the plan. Both improving and leveraging existing physical conditions, strategic bicycle and pedestrian transportation corridors have been identified, and a toolkit of best practices for infrastructure improvements is included. In order to accomplish the recommended improvements, prioritization criteria are set forth in the plan, as are implementation strategies and funding sources.

The plan is on schedule to appear before Planning Commission in October and City Council in November with a request for adoption.

Further questions and comments may be directed to Alison Alexander, Senior Planner, at aalexander@hampton.gov or 757.728.5238.

Community Development Department

22 Lincoln Street, 5th floor | Hampton, Virginia 23669
www.hampton.gov | Hampton's 311: 757.727.8311 | P.757.727.6140



**PLANNING COMMISSION
CITY OF HAMPTON, VIRGINIA**

CHAIR: Thomas Southall

VICE-CHAIR: Andre McCloud

COMMISSIONERS: Mary Bunting, Carlton Campbell, Gaynette LaRue, Teresa V. Schmidt,
Gregory Williams

WORK SESSION

September 1, 2016 @ 3:00 PM – City Hall, Lawson Conference Room, 8th Floor

I. Questions about agenda items

MEETING AGENDA

September 1, 2016 @ 3:30 PM – City Hall, City Council Chambers, 8th Floor

I. Call to Order

II. Roll Call

III. Minutes of the August 4, 2016 Planning Commission Meeting

IV. Public Hearing Items

A. Zoning Ordinance Amendment No. 195-2016: Ordinance To Amend And Reenact Chapter 2 Of The Zoning Ordinance Of The City Of Hampton, Virginia Entitled "Definitions" By Amending Section 2-2 Entitled, "Definitions" To Create The Definition Of Banquet Hall. This item is proposed in conjunction with Zoning Ordinance Amendment 196-2016. Copies of documents or information concerning this proposal may be obtained from the Community Development Department located in Hampton City Hall at 22 Lincoln Street or from Mike Hayes at 757-728-5244 or mdhayes@hampton.gov.

B. Zoning Ordinance Amendment No. 196-2016: Ordinance To Amend And Reenact Chapter 3 Of The Zoning Ordinance Of The City Of Hampton, Virginia Entitled "Uses Permitted" By Amending Section 3-2 To Add "Banquet Hall" To The Use Table And Permit The Use In DT-1, PH-1, FM-1, FM-3, and FM-4 With A Zoning Administrator Permit and FM-2 With An Approved Use Permit, As Well As Section 3-3 Pertaining to Additional Standards As They Pertain To Banquet Halls. This item is proposed in conjunction with Zoning Ordinance Amendment 195-2016. Copies of documents or information concerning this proposal may be obtained from the Community Development Department located in Hampton City Hall at 22 Lincoln Street or from Mike Hayes at 757-728-5244 or mdhayes@hampton.gov.

V. Community Development Director's Report

A. Youth Planner Report – Virgil Thornton II, Senior Youth Planner

VI. Items by the public

VII. Matters by the Commission

VIII. Adjournment

Protocol for Public Input at Planning Commission Meetings:

Hampton Planning Commission meetings are open to the public. The public is invited to attend meetings and to observe the work and deliberations of the Planning Commission. The public may also address the Planning Commission on public hearing items by signing up to speak. Public hearing sign-up sheets will be available until the specific item is reached during the course of the meeting. Speakers will be recognized in the order in which they sign up and are asked to state their name and address, to limit their comments to 3 minutes, and to avoid repeating comments made by previous speakers.

***As a courtesy to others during the meeting,
please turn off cellular telephones or set them to vibrate.***

CITY OF HAMPTON
COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING & ZONING ADMINISTRATION DIVISION
22 LINCOLN STREET, 5TH FLOOR
HAMPTON, VA 23669
757-727-6140



AT THE WORK SESSION OF THE HAMPTON PLANNING COMMISSION HELD IN THE LAWSON CONFERENCE ROOM, 8TH FLOOR, CITY HALL, 22 LINCOLN STREET, HAMPTON, VIRGINIA, ON THURSDAY, AUGUST 4, 2016 AT 3:00 P.M.

Chairman Southall called the meeting to order at 3:00 p.m. A call of the roll noted Commissioners Gaynette LaRue, Gregory Williams, Carlton Campbell, and Chairman Tommy Southall as being present, and Commissioners Andre McCloud, Teresa Schmidt, and Mary Bunting as being absent (Commissioner Schmidt arrived at 3:05 p.m., Commissioner Bunting arrived at @3:06 p.m., and Commissioner McCloud arrived at 3:27 p.m.). Staff in attendance were Director of Community Development Department Terry O'Neill, Deputy Director of Community Development Department Steve Shapiro, Planning and Zoning Administration Division Manager Keith Cannady, Chief Planner Michael Hayes, Zoning Administrator Jeff Conkle, Senior City Planner Alison Alexander, City Planner Tolu Ibikunle, City Planner Porter Stevens, City Planner Lucy Stoll, Senior Assistant City Attorney Bonnie Brown, Interim Recording Secretary/Administrative Assistant Shaelee Jones, and Back-up Recording Secretary/Senior Administrative Assistant/DSA-II Aqiylah McGill.

The Commission and staff discussed the following agenda items, and staff provided the following information:

American Legion Hall Post 67 Use Permit: The American Legion Hall Post 67 is requesting to operate a lodge at 1307 LaSalle Avenue. The staff report recommended approving hours of operation for the lodge to extend past the hours requested by the applicant. This does not mean the applicant has to change their intended hours of operation, this simply means by approving the additional hours it gives the applicant more options and flexibility with their hours of operation. Also, the current Zoning Ordinance does prohibit the use of live entertainment on the property. There was a community meeting held for the public but no one from the public attended.

Bethel Child Development Use Permit: The use permit considers if the daycare can expand the amount of children they are permitted to care for from 100 to 124. The proposal allows for operational hours a little longer than the applicant requested to allow for flexibility for the owner. The applicant originally requested expanding the occupancy from 100 to 150 children. It was explained that if they proposed 150 children, they are required to submit a traffic impact analysis report along with their application. The applicant opted not to do a traffic impact analysis and instead chose to decrease the requested number of children to 124.

Hampton University Use Permit: Hampton University is requesting a use permit to open an off-site educational satellite facility at 1414 N. Mallory Street. The school did not request a parking allowance although there are parking spaces on the parcel. Parking allowances are not automatically provided or incorporated into conditions if the requestor does not provide analysis to the Zoning Official. By providing this analysis, it allows the Zoning Official to make sure all ordinances and parking expectations are met; however, the applicant can apply for parking allowances at a later date if needed.

City of Hampton Rezoning to Amend Proffered Conditions from Rezoning 1260: Under the amended proffered conditions developers are able to consider building on the parcel without limitations placed on the land from a previous rezoning. This will affect the parking lot and current available parking spaces but the City has long introduced proposals to address parking concerns that might arise once any development proposal is considered. One of the considerations is establishing parking on the eastern end, at the rear of the convention center. The planned parking area is likely to be a surface lot and not a parking garage because there is

not a cost benefit at this point to change to a parking garage. The parking target for the Coliseum and Convention Center, after corresponding with consultants, is 4000 to 4500 publicly-controlled spaces. In addition to the parking proposals, the City is proposing amending the proffered conditions because the conditions that were previously placed are not tied to the project but to the land. Once a rezoning is passed, it becomes a supplemental zoning ordinance that cannot be changed until the property is rezoned.

Zoning Ordinance Amendment to Amend and Re-Enact Chapter 8 of the City Zoning Ordinance:

The City is requesting the Commission amend and re-enact chapter 8 of the Zoning Ordinance entitled "Special Districts" by amending Article 3 - Buckroe Bayfront Districts. The City would like to remove a map restricting the area where the district may be considered, and the restrictive language would be removed. The original ordinance was an attempt at creating a form-based zoning ordinance applicable to certain districts. The rezoning's allowed for development of structures that may not have otherwise been allowed under the original zoning ordinance; however, it would be specific to districts specified in the map. The request to remove the restrictions and expand the zoning option to applicants close to the Buckroe Bayfront Districts would allow for more uniformity and improved development. The amendment does not rezone properties around the current district, it just allows for those property owners to apply for the same zoning on their parcel for future development. Specifically the amendment would address setbacks and other limitations those property owners would have to adhere to, if they are not allowed to apply for the Special Districts zoning. This amended ordinance would not apply to all of the Buckroe area. The images provided in the staff report of possible residential development in the Special District, are broad examples of how to interpret the ordinance; they are not to be interpreted as images from a pattern book that may require developers to build under those specifications. The City does not generally have pattern books for the districts. There are some form-based areas where developments are form-driven, like in parts of Phoebus. These form-driven developments only require the structure to meet certain height requirements or setbacks, among other things, but they are not officially part of any zoning ordinance; they are to reflect images in the Master Plan but have not been officially translated into any ordinance.

Work session adjourned at 3:30 p.m.

AT THE REGULAR MEETING AND PUBLIC HEARING OF THE HAMPTON PLANNING COMMISSION HELD IN THE COUNCIL CHAMBERS, 8TH FLOOR, CITY HALL, 22 LINCOLN STREET, HAMPTON, VIRGINIA, ON THURSDAY, AUGUST 4, 2016 AT 3:30 P.M.

I. CALL TO ORDER

Chairman Tommy Southall called the meeting to order at 3:30 p.m.

II. ROLL CALL

A call of the roll noted Commissioners Gaynette LaRue, Gregory Williams, Carlton Campbell, Andre McCloud, Teresa Schmidt, Mary Bunting, and Chairman Tommy Southall as present. Additional staff in attendance were: Director of Community Development Department Terry O'Neill, Deputy Director of Community Development Department Steve Shapiro, Planning and Zoning Administration Division Manager Keith Cannady, Chief Planner Michael Hayes, Zoning Administrator Jeff Conkle, Senior City Planner Alison Alexander, City Planner Tolu Ibikunle, City Planner Porter Stevens, City Planner Lucy Stoll, Senior Assistant City Attorney Bonnie Brown, Development Services Center Manager David Stromberg, Interim Recording Secretary/Administrative Assistant Shaelee Jones, and Back-up Recording Secretary/Senior Administrative Assistant/DSA-II Aqiylah McGill.

III. MINUTES – JUNE 2, 2016 WORK SESSION & PUBLIC MEETING (NOTE: There was no July meeting)

A motion was made by Commissioner Carlton Campbell and seconded by Commissioner Gregory Williams to approve the minutes of the June 2, 2016 Work Session and Planning Commission meeting. A roll call vote on the motion resulted as follows:

| | |
|---------|---|
| AYES: | LaRue, Williams, Campbell, McCloud, Schmidt, Bunting, Chairman Southall |
| NAYS: | None |
| ABST: | None |
| ABSENT: | None |

IV. PUBLIC HEARING ITEMS

Director O'Neill read the key points of the Hampton Planning Commission Public Hearing/Comment Rules in order for the affairs of the Commission to be conducted in a courteous manner.

IV-A. UP16-00004 – AMERICAN LEGION HALL POST 67: 1307 LASALLE AVENUE

Director O'Neill read the public hearing notice on the next agenda item.

Use Permit Application No. 16-00004: by American Legion Hall Post 67 to operate a lodge at **1307 LaSalle Avenue [LRSN 2000246]**. The property is zoned Multiple Residence [R-M] District. The Hampton Community Plan (2006, as amended) recommends Medium Density Residential use for this area. Copies of documents or information concerning this proposal may be obtained from the Community Development Department located in Hampton City Hall at 22 Lincoln Street or from Porter Stevens, (757) 727-6256 or cpstevens@hampton.gov.

City Planner Porter Stevens presented the staff report on the subject application, a copy of which is attached to the original minutes. He stated staff recommends approval of the application subject to ten (10) conditions.

In response to a statement from Commissioner Campbell, Mr. Stevens confirmed that there was a public meeting held and no one from the public attended.

Commissioner McCloud stated that he is a member of the American Legion and would not be able to vote. He stated that the community appreciates the American Legion for the way they handle business within the community and their contributions that have been made to the community.

Chairman Southall stated his only issue with this proposal is the location believing it to be a bad area due to the exit onto LaSalle Avenue being straight off of Interstate 64, and traffic stopping before the stop light could cause additional issues on both roadways. He then proceeded to state that parking and the capacity of the building were not adequate, with available parking only being 49 spaces and capacity of the building to not exceed 245 people. He stated that his concern was that people would begin to park on other properties and along the curb side which will cause serious issues later. For these reasons the Chairman would not be able to support this application.

Councilwoman Schmidt suggested in response to Chairman Southall that if the American Legion currently holds bingo, they could state how many people normally attend, and that information would be helpful in understanding the parking arrangements.

Abraham Phillips, 110 Cofer Court, Hampton, Virginia 23666 on behalf of American Legion Post 67, in response to Councilwoman Schmidt's suggestion, stated that bingo is currently held on Mercury Boulevard in a building that used to be a skating rink; they have less than 100 people to attend so far, and there are currently no parking issues. In response to Chairman Southall's statement, Mr. Phillips asked if the church was in that building with the amount of people they had and they used the parking that was available there, what would be the issue with a new organization to occupy the building with the same amount of people.

Chairman Southall responded to Mr. Phillips, that is part of his rationale that if anyone had driven by there during the ceremonies there were cars everywhere, not just being in parking spaces but double-parked and so forth; he was concerned about this issue.

There being no additional questions or speakers, the Commission approved the following resolution:

WHEREAS: the Hampton Planning Commission has before it this day a proposal by the American Legion Post 67 to operate a lodge at 1307 LaSalle Avenue [LRSN 2000246];

WHEREAS: Post 67 is currently operating at 900 Kecoughtan Road and wishes to move to the subject property;

WHEREAS: the applicant is proposing, as an accessory use, to hold nightly bingo hall events;

WHEREAS: while the Hampton Community Plan (2006 as amended) recommends a high density residential use for this property, the policies of the Plan call for promoting community interaction at the neighborhood level and access to educational, social, civic, and recreational opportunities for youths and seniors;

WHEREAS: the site is currently zoned Multiple Family Residential (R-M) District, which permits the operation of a lodge with an approved use permit;

WHEREAS: ten (10) conditions are attached to address, among other things, traffic, building capacity, and a revocation clause; and

WHEREAS: no one from the public spoke for or against this proposal.

NOW, THEREFORE, on a motion by Commissioner Gaynette LaRue and seconded by Commissioner Gregory Williams,

BE IT RESOLVED that the Hampton Planning Commission does recommend to City Council approval of Use Permit Application No. 16-00004, subject to ten (10) conditions.

A roll call vote on the motion resulted as follows:

| | |
|---------|---|
| AYES: | LaRue, Williams, Campbell, Schmidt, Bunting |
| NAYS: | Southall |
| ABST: | McCloud |
| ABSENT: | None |

ITEM IV-B. UP16-00005 - BETHEL CHILD DEVELOPMENT, DAY CARE, 1705 TODDS LANE

Director O'Neill read the public hearing notice on the next agenda item.

Use Permit Application No. 16-00005: by Bethel Child Development to expand an existing day care from 100 to 124 children at **1705 Todds Lane [LRSN 4002255]**. The property is zoned R-11 Single Family Residence. The Hampton Community Plan (2006, as amended) recommends Public/Semi-public uses for this area. Copies of documents or information concerning this proposal may be obtained from the Community Development Department located in Hampton City Hall at 22 Lincoln Street or from Porter Stevens, (757)727-6256 or cpstevens@hampton.gov.

City Planner Porter Stevens presented the staff report on the subject application, a copy of which is attached to the original minutes. He stated staff recommends approval of the application with ten (10) conditions.

In response to a question from Commissioner Campbell, Mr. Stevens clarified that staff does not intend to have children over the age of twelve (12) to attend.

There being no additional questions or speakers, the Commission approved the following resolution:

WHEREAS: the Hampton Planning Commission has before it this day a proposal by Bethel Child Development to expand an existing commercial day care at 1705 Todds Lane [LRSN 4002255];

WHEREAS: the day care was originally approved to operate under Conditional Privilege 119-2011 with 100 children;

WHEREAS: the applicant now wishes to expand the allowed capacity of their day care to 124 children;

WHEREAS: the Hampton Community Plan (2006 as amended) recommends public and/or semi-public uses for this property, and the policies of the Plan call for facilitating greater participation in the workforce by promoting quality daycare services and access to educational, social, civic, and recreational opportunities for youths and seniors;

WHEREAS: the site is currently zoned Single-Family Residential (R-11) District, which permits the operation of a commercial day care with an approved use permit;

WHEREAS: ten (10) conditions are attached to address, among other things, traffic, building capacity, and a revocation clause; and

WHEREAS: no one from the public spoke for or against this proposal.

NOW, THEREFORE, on a motion by Commissioner Gregory Williams and seconded by Commissioner Andre McCloud,

BE IT RESOLVED that the Hampton Planning Commission does recommend to City Council approval of Use Permit Application No. 16-00005, subject to ten (10) conditions.

A roll call vote on the motion resulted as follows:

| | |
|---------|--|
| AYES: | LaRue, Williams, Campbell, McCloud, Schmidt, Bunting, Southall |
| NAYS: | None |
| ABST: | None |
| ABSENT: | None |

ITEM IV-C. UP16-00006 - HAMPTON UNIVERSITY, 1414 N. MALLORY STREET

Director O'Neill read the public hearing notice on the next agenda item.

Use Permit Application No. 16-00006: by Hampton University to establish a university use (an off-site educational satellite facility) at **1414 N. Mallory Street [LRSN 12006101]**. The property is zoned R-M Multiple Residence, which allows for university use subject to approval of a use permit. The Hampton Community Plan (2006, as amended) recommends Public/Semi-public use for this area. This item is being concurrently advertised for a City Council public hearing on August 10, 2016. Copies of documents or information concerning this proposal may be obtained from the Community Development Department located in Hampton City Hall at 22 Lincoln Street or from Lucy Stoll, (757) 727-6301 or lucy.stoll@hampton.gov

City Planner Lucy Stoll presented the staff report on the subject application, a copy of which is attached to the original minutes. She stated staff recommends approval of the application with eight (8) conditions.

In response to a question from Commissioner Larue, Ms. Stoll clarified that the building can be used for educational space, satellite education, and residential apartments; staff is recommending that the primary use of the building be educational space which is 50 percent of the square footage.

In response to a question from Commissioner Larue, Ms. Stoll stated that the recommendation of the primary use is one of the recommended conditions.

In response to a question from Commissioner Larue, Director O'Neill clarified that the recommendation as part of the condition is a statement of what is already present in the zoning ordinance. In order for Hampton University to have the program that they want, which is an educational facility with residential dormitories, they have to establish a primary use which is the college or university instructional education function; the dormitory could not be there by itself. They have to establish the primary use being the instructional educational function; the condition is simply reiterating what is already in the ordinance.

In response to a question from Commissioner Larue, Director O'Neill stated that the building is not permitted as a stand-alone use to be used entirely for a dormitory, but only as an accessory use to a university.

In response to a statement from Commissioner Larue, Director O'Neill clarified that there are primary uses for zoning purposes that are determined for each property. A dormitory is not listed in the ordinance as an allowable primary use by itself.

In response to a question from Commissioner Williams, Director O'Neill stated that a dormitory is not listed in the ordinance as an allowable primary use by itself for any location. If a dormitory is on campus then it is an accessory use. Being that this dormitory is not on the campus of the university but a separate parcel, there is a primary use for each parcel of property. He stated that if the building was on the campus, they could make it a stand-alone dorm if they chose.

In response to a question from Commissioner Campbell, Ms. Stoll stated that ours is an illustrative depiction of the Chesapeake Bay District and if Hampton University wants to do work in those areas they would need to get those features confirmed.

In response to Ms. Stoll's comments, Director O'Neill added that the reason the limits are in place are for policy procedures to try and minimize impacts to environmental features, and also there is land outside the feature if they need to do some land improvements, giving them some room to do so. On sites where certain conditions exist it's typical for the City to encourage or regulate any new development to occur outside the Chesapeake Bay Area.

In response to Commissioner Schmidt, Ms. Stoll stated that she was unsure whether or not there would be any major remodeling to the building. The City is working with HU on what the final building layout will be. Any major renovations will be in the final layout. There is currently construction going on in the residential apartments. Ms. Stoll then stated the property is within two flood zones, which are not subject to the same regulations as the surrounding flood zone. Concerns about substantial improvements will not apply for this building.

In response to Commissioner Schmidt, Ms. Stoll clarified that on the map the green area that was marked was not a flood zone but a Chesapeake Bay resource management buffer. Director O'Neill stated that these areas have a different set of regulations from the flood zone regulations. To simplify things he stated that the Chesapeake Bay buffer is there to enhance buffers that are adjacent to waterways, to enhance the ability to clean run-off as it goes into the Bay. This area is basically a buffer, retention, or preservation kind of ordinance, while the flood zone that Ms. Stoll is referring to is about keeping buildings, structures, and impediments out of the flood zone if at all possible. If the buildings are located in the flood zones, special building construction requirements apply that reduce the threat of flooding; these are two different sets of regulations trying to do two different sets of things.

In response to a question from Commissioner Schmidt, Ms. Stoll stated that each band of color on the map should be approximately one hundred feet. Director O'Neill stated that is the buffer or the Chesapeake Bay feature area. If this were a new building we would be asking that the building not be included in any of the shaded areas in the Chesapeake Bay District boundary.

In response to a question from Commissioner Williams, Director O'Neill stated that he does not know for sure how Hampton University acquired the old Strawberry Banks area and only put dormitories in that area, believing it to be in non-compliance because he does not think there was a use permit for an educational facility which would have allowed for dormitories on that site. Under those circumstances, dormitories at the old Strawberry Banks site with no education facility would be in violation of the ordinance.

Bob Miller, 5033 Rouse Drive, Virginia Beach, VA 23462, professional engineer with MSA P. C. was present representing the University. He stated that they are not going to be in the Chesapeake Bay area except for the fire department request to widen the entrance road, which is fairly minor. The details for parking improvements are being worked out. Current parking is shown on the preliminary plan. Additional spaces will be added outside any environmentally sensitive areas. With regards to the dormitories and educational spaces, the University is in excess of the fifty percent requirements for the educational instructional spaces and they are completely in agreement with the eight conditions that have been presented by staff.

In response to Commissioner Williams, Mr. Miller clarified that there will be no expansion of the building or parking into the buffer area or in any other environmentally sensitive area.

Debra Haggins, 92 College Park, Hampton, VA 23669, University Chapel of Hampton University and Director of the Religious Studies Program, presented some of the activities to take place at the retreat. The presentation included the mission of Hampton University along with a brief history of the religious studies program, and the program's vision, goal, missions, and objectives. The Religious studies program will be expanding by adding an Associates of Arts: Biblical Studies, and there are two pending programs, the Masters of Arts: Theological Studies, and Masters of Divinity: Religious Studies. One important factor about any theological program is that it be conducted in a retreat setting when dealing with seminary and theological studies; the 1414 N. Mallory Street property will give the setting that is needed in order to fulfill those curricular requirements. Hampton University was awarded a grant by Lilly Endowment Inc. to offer a Theology Institute for high school youth within the seven cities of Hampton Roads; they will be working with thirty-five students to gather at the retreat setting to do biblical studies. In closure she stated that the setting is perfect as an educational facility and the expansion of the program.

In response to Commissioner Larue, Ms. Haggins stated the program is ecumenical and non-denominational. She stated that the University does not deal with denominations, that when individuals complete their degree they can choose to go wherever they like. HU has a strong academic program to prepare students for further studies. Hampton University has offered the bachelor's program since 2001.

In response to Commissioner Williams, Ms. Haggins stated the seven cities program is for 9-12 graders, specifically for individuals who are contemplating a career in ministry. There is an application process and the goal of Lilly is to grow pastoral leaders from youth to of age adults. The program is a residential program; students will be shuttled from the campus to the retreat. The length of this program is three years, one week each year.

Commissioner Campbell commented that the retreat location would be good, and he is excited to have such a facility in the area without having to travel across the river or to Richmond to get the education. He stated that he is encouraged by the retreat. He complimented Ms. Haggins stating that he has heard her many times at the minister's conferences.

Commissioner Williams commented that to be a graduate of Hampton Institute and to see this program from 2001 until present day is phenomenal. He is always impressed to see where the University has come since he went there, having almost what it was before - a retreat where people can go and learn in a surrounding where everyone is after the same goal.

Commissioner McCloud commented that he was looking for an opportunity to attend a master's program for divinity where he did not have to travel to Richmond to complete the education program. He graduated in 2002 when the program at Hampton University was just getting started, so he wanted to thank the facility for growing program.

Joe Gallagher, 1400 N. Mallory Street, Hampton VA, 23669, which is surrounded by Hampton University's subject property, stated he has a house on the property and is in full support of what Hampton University is doing. He has been on the property since 1972, and he was unable to sell the property when the rest of property was sold to Hampton University; he just wanted to make sure while in ownership of his piece of property, that he will not be affected by changes to any of the entrances or anything that is going to be done on the property being that he has deeded rights to the property. This was not so much of a question but that the facts would always be taken into consideration.

In response to Mr. Gallagher, Director O'Neill stated that upon any proposal of changes to entrances or alternative circulation a site plan of the property would have to be submitted and that the adjacent property would always be taken into consideration upon review of the site plan. All access and encumbrances would have to be satisfied by retaining what is currently there or something accessible.

In response to Mr. Gallagher questioning if there would be any restrictions to the size of trucks that come on the property as he noticed food trucks and the UPS trucks; Director O'Neill stated there are no specific truck restrictions.

In response to Mr. Gallagher questioning whether the University would do anything to the waterfront, like maintaining it, keeping it in visible use, adding a dock, or anything of the sort, Director O'Neill explained that there is nothing in the proposal that would indicate that they are currently proposing to do anything else, but they are not prohibited from proposing such in the future.

In response to Mr. Gallagher questioning if his land would be affected in the way it is accessed, Director O'Neill stated that in particular cases where uses are not a big change, the land use changes don't have a real impact right away. He also confirmed that as far as parking, that would be an operational decision that the University would make; it is not a requirement of today's process. Director O'Neill encouraged Mr. Gallagher to have a conversation with the University about future parking and building on the property.

In response to Commissioner Campbell, Mr. Gallagher explained that the entrance that was being seen on the map was a shared entrance into the facility on both sides, forming a u-shape.

There being no additional questions or speakers, the Commission approved the following resolution:

WHEREAS: the Hampton Planning Commission has before it this day a proposal by Hampton University for a private university use off its main campus at 1414 North Mallory Street [LRSN 12006101];

WHEREAS: the property is zoned Multiple Residence (R-M) District, which allows for a private university with an approved use permit;

WHEREAS: the Hampton Community Plan (2006, as amended) recommends public/semipublic land use for the site and provides policies calling for protecting adjacent neighborhoods and promoting compatible land uses within residential corridors, which includes public/semi-public uses such as schools;

WHEREAS: the specific change requested is to create a satellite educational facility for the Religious Studies program within the existing building to include educational space, residential apartments, and student dormitories and that educational space will be the primary use of the site;

WHEREAS: staff recommends eight (8) conditions be attached to the use permit addressing operation and primary use, site development, parking, and lighting;

WHEREAS: One member of the public spoke to address questions about access to his private property;

NOW, THEREFORE, on a motion by Commissioner Schmidt and seconded by Commissioner McCloud,

BE IT RESOLVED that the Hampton Planning Commission recommends to City Council approval of Use Permit Application No. 16-00006, subject to eight (8) conditions.

A roll call vote on the motion resulted as follows:

| | |
|---------|--|
| AYES: | LaRue, Williams, Campbell, McCloud, Schmidt, Bunting, Southall |
| NAYS: | None |
| ABST: | None |
| ABSENT: | None |

ITEM IV-D. Rezoning Application No. 16-00009 – City of Hampton, amend RZ1260

Director O'Neill read the public hearing notice on the next agenda item.

Rezoning Application No. 16-00009: by the City of Hampton to amend the proffered conditions from Rezoning 1260 to expand the redevelopment options for the 20+ acre property which is located on the southwest corner of Coliseum Drive and Pine Chapel Road [LRSN #13002049]. The site is zoned Limited Commercial (C-2) District with proffered conditions, Coliseum Central Overlay (O-CC) District, and Flood Zone Overlay (O-FZ) District. C-2 permits retail sales and services, office uses, and multi-family residential. The Hampton Community Plan (2006, as amended) recommends Mixed-Use. The Coliseum Central Master Plan (2015, as amended) recommends sports tourism, hospitality uses, and park space. This item is being concurrently advertised for a City Council public hearing on August 10, 2016. Copies of documents or information concerning this proposal may be obtained from the Community Development Department located in Hampton City Hall at 22 Lincoln Street or from Keith Cannady, 728-5239 or kcannady@hampton.gov.

In response to a question from Commissioner Williams, Planning & Zoning Administration Division Manager Keith Cannady stated that the subject property is often referred to as the 19 acres site; in the past people have presented plans for the land that have fallen through due to financial reasons and the real estate market at the time. This rezoning would remove the conditions that would limit future projects to the specifics that were proposed in 2007.

In response to a question from Commissioner LaRue, Mr. Cannady stated there would be differences in what a new project or a new developer would propose from what is currently required. The property would automatically have to be rezoned in order to consider a new proposal. This essentially clears the slate, allowing new proposals with new conditions that are consistent with current policies in regards to land use. Rezoning a new development can slow down the process and add a level of risk; the City owns the property and is in a position to put conditions in a developer's agreement as part of evaluating a project.

In response to a question from Commissioner McCloud, Mr. Cannady reminded the Commission of a concept plan that was brought forward in November for the Coliseum Central Master Plan area that included a hotel and large lakefront public space. If the Commission did not do anything presently it would prevent the City from moving forward on the land; the new conditions would permit the project to go forward.

In response to a question from Commissioner McCloud, Mr. Cannady stated the City is in the driver's seat on this property because it is owned by the City. Getting the right zoning on the property sends a message to the marketplace that this is currently what the city wants on the property, not what the current zoning ordinance shows, putting the City in a better position to move quickly if a new prospect comes along. The City can seek out one developer who wants to use all of the land, multiple developers for the property, or public or private uses of the land.

In response to a question from Commissioner Williams, Mr. Cannady confirmed that the proposed plan the City was looking at last year with the sport center is still considered as the adopted plan.

There being no additional questions or speakers, the Commission approved the following resolution:

WHEREAS: the Hampton Planning Commission has before it this day an application by the City of Hampton to amend the proffered conditions from Rezoning 1260 to expand the redevelopment options for the 20+ acre property;

WHEREAS: the subject property is located on the southwest corner of Coliseum Drive and Pine Chapel Road [LRSN #13002049];

WHEREAS: the site is zoned Limited Commercial (C-2) District with proffered conditions, Coliseum Central Overlay (O-CC) District, and Flood Zone Overlay (O-FZ) District. C-2 permits retail sales and services, office uses, and multi-family residential;

WHEREAS: the Hampton Community Plan (2006, as amended) recommends Mixed Use for this site;

WHEREAS: the Hampton Community Plan also promotes leveraging the impact of city resources by focusing on strategic investment areas. The plan also recommends ensuring that the implementation plans, infrastructure, and land use regulations support the City's goals for economic development;

WHEREAS: five (5) proffered conditions include the standard conditions and a limitation on uses;

WHEREAS: no one from the public spoke for or against this proposal.

NOW, THEREFORE, on a motion by Commissioner Gaynette LaRue and seconded by Commissioner Gregory Williams,

BE IT RESOLVED that the Hampton Planning Commission recommends to City Council approval of Rezoning Application No. 16-00009, subject to five (5) proffered conditions.

A roll call vote on the motion resulted as follows:

| | |
|---------|---|
| AYES: | LaRue, Williams, Campbell, McCloud, Schmidt, Southall |
| NAYS: | None |
| ABST: | Bunting |
| ABSENT: | None |

ITEM IV-D. Zoning Ordinance Amendment No. 188-2016:

Director O'Neill read the public hearing notice on the next agenda item.

Zoning Ordinance Amendment No. 188-2016: to amend and re-enact chapter 8 of the Zoning Ordinance of the City of Hampton, Virginia Entitled "Special Districts" by amending Article 3 – Buckroe Bayfront Districts to bring the application of the district in line with standard procedures of other districts, remove a map restricting the area where the district may be considered for application, and eliminate unnecessary language describing the review process. Copies of documents or information concerning this proposal may be obtained from the Community Development Department located in City Hall, 22 Lincoln Street, or from Mike Hayes, (757) 728-5244 or mdhayes@hampton.gov.

In response to a question from Commissioner Williams, Chief Planner Michael Hayes explained that where the map shows the current boundaries with the beach and the park area being on one side coming down Bay Shore Lane and on the other side Mallory Street is the stopping point. The map shows that the area does not extend down Pembroke Avenue to the shopping center. Heaven's Pizza is the first block outside of this boundary.

Director O'Neill added, that Mallory Street and Buckroe Avenue is the boundary of the area. When driving in the area where all the new homes are, the right side is in the district and the left side is out.

In response to questions by Commissioner LaRue, Mr. Hayes stated the boundaries for being in the district are limited to a fairly tight redevelopment area within Buckroe; not even all of the Buckroe neighborhood could be a part of this district as it is today. The reason for the recommendation is because it might be appropriate for additional parts of Buckroe to potentially be a part of this district in order to have the type of redevelopment or investment the Buckroe Master Plan envisions for surrounding areas.

In response to a question from Commissioner LaRue, Mr. Hayes explained that if someone wanted to follow the rules of the Buckroe Bay Front district, there's a pattern that has to be followed. The city and community are getting a high level of requirements in terms of the quality of development there, the way it fits in with the historic development of the neighborhood in terms of setbacks, and the general character of the building. On the incentive side for a builder or investor, this district would allow smaller lots, mixed use in ways that aren't currently permitted with zoning outside the boundaries of these districts. As it stands today only the properties within the boundaries could potentially develop that way. Someone with property outside of these boundaries that wanted to develop similar to the homes inside the boundaries could not just submit a rezoning application and go through the standard process. If we assumed it was something we wanted to support, the customer would have to meet with staff with their rezoning application, and the current map would have to be amended in order to allow them to have that application voted on by Council. Staff is recommending that this map be eliminated in order to follow the normal rezoning process as a benefit to potential developers and the City.

In response to Commissioner McCloud, Mr. Hayes stated that some portions of the current layout are under a pattern book and they would remain under a pattern book; this does not change the zoning on any particular property. This is intended to open up the opportunity for other properties to fall under pattern books or develop under these requirements for the zoning district. He stated that the action today is not putting the boundaries under a new pattern book; the map used is not an official zoning map it is a map that is in the text of the zoning ordinance that says what properties can potentially be under the pattern book. What staff is recommending is that more people can have that opportunity to develop their properties in such a way.

Director O'Neill stated the real purpose of this is to expand the ability for other properties beyond these boundaries to be able to develop in the way the city has seen the new Buckroe develop. What Mr. Hayes has explained is that it is very limited right now so staff is essentially opening up the opportunity for properties other than those limited properties to be able to come to the city and ask to be zoned into this district that has created the new development.

City Manager Bunting stated that nothing is being undone for the area, we are allowing for the opportunity in new areas to be able to follow the same patterns and use tables. She then stated that no one has to fear that if they thought that was going to be the plan for that

particular area that the staff is changing the plan for what is already there; it's just opening up new options.

In response to a question from Commissioner Campbell, Director O'Neill stated that people now have the ability to apply for the Buckroe District even if they are not in or near the surrounding area. There is still a Buckroe Master Plan that contains the overarching guiding policy, and just like any other zoning application, that would get evaluated in the overall plan as to whether or not any scenario is appropriate. The question posed is, does staff want the Buckroe Bay Front District to be applied all over the city? While the answer may be yes in some circumstances, a standard response would be, if it's reasonably close to the bay front and some of the other development that is going on. Mr. Hayes has described that the goal of the plan is to make sure that it is a very pedestrian-oriented, walkable, compact, beachfront community; if people get too far away from that then it may be decided that this project is not consistent with the overall objective.

In response to a question from Commissioner Williams, Director O'Neill stated that technically you could apply from anywhere to be in the Buckroe District, but probably the reaction would be if someone in Riverdale applies for the Buckroe Bay Front District, the Commission is probably going to say that it's not consistent with the plan. The benefit that was shared with staff is that development momentum has picked up enough that people now see what it (the new Buckroe) looks like and the City is actually starting to get interest from properties outside of the boundary asking if they can do the same thing that they are seeing on the next block and in some cases across the street. When people ask that question to the City, on behalf of the City, we ask ourselves, why not?

There being no additional questions or speakers, the Commission approved the following resolution:

WHEREAS: the Hampton Planning Commission has before it this day an Ordinance to amend and re-enact chapter 8 of the Zoning Ordinance of the City of Hampton, Virginia Entitled "Special Districts" by amending Article 3 – Buckroe Bayfront Districts;

WHEREAS: this amendment brings the process of application of the district in line with that of other zoning districts, removes the map restricting the area where the district may be considered for application, removes duplicative standards better found in the development and street standards maintained by Public Works, and removes unnecessary language describing the review process;

WHEREAS: the proposed amendment does not change the zoning of any particular property; and

WHEREAS: no one from the public spoke in regards to this proposed amendment.

NOW, THEREFORE, on a motion by Commissioner Teresa Schmidt and seconded by Commissioner Gaynette LaRue,

BE IT RESOLVED that the Hampton Planning Commission recommends to City Council approval of Zoning Ordinance Amendment No. 188-2016.

A roll call vote on the motion resulted as follows:

AYES: LaRue, Williams, Campbell, McCloud, Schmidt, Bunting, Southall

NAYS: None
ABST: None
ABSENT: None

ITEM V. COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

A. YOUTH PLANNER REPORT

Senior Youth Planner Bryauna Kralik, Junior Youth Planner Janaria Lickey, and Senior Youth Planner Virgil Thornton presented the Youth Planner End of the Year Presentation.

Mr. Thornton stated that over the past year the youth commission has been involved in various activities ranging from improving their infrastructure to improving infrastructure of other organizations, while also hosting and participating in events.

Ms. Kralik spoke about her opportunity to speak at a Public Administration class at Old Dominion University. During the presentation they discussed youth civic engagement in the city of Hampton and also addressed questions such as how planners identify youth to reach out to and exactly what do young people bring to the table.

Ms. Kralik stated that the youth planners attended a Virginia Statewide Neighborhood Conference, where they had the opportunity to tour two colleges, Old Dominion and Norfolk State Universities. Commissioners participated in a fire extinguisher simulation, learned about fire alarm safety, and later that evening they boarded the Spirit of Norfolk for a networking reception.

Ms. Kralik stated that this past year the youth planners worked with four separate committees: Marketing, Special Events, Transportation, and Youth Are Prepared.

Mr. Thornton stated that the focus groups were like the final test for the Transportation and Youth Are Prepared Committees. Participants were youth throughout the city who had taken the survey and their task was to elaborate on their responses.

Ms. Lickey stated that the Special Events Committee worked in conjunction with the Youth in Government committee to plan the Youth in Government's 20th anniversary celebration; they also worked to plan two separate candidate's forums.

Mr. Thornton stated that the Hampton City Council/Mayoral Forum followed a very simple agenda. Introductions were first, followed by ice breaker questions to get everyone relaxed, followed by intense questions generated by the audience and the Hampton Youth Commissioners. Finally a ballot was cast and tallied the day after. The School Board Forum followed the same agenda as the Hampton City Council/Mayoral Forum.

Mr. Thornton stated that the final element of the Special Events committee was the Youth in Government's 20th anniversary celebration in which they employed the help of the Youth in Government liaisons.

The next steps for the Youth Commission will be to kick off their annual retreat which will be held on August 19th at Alternatives Inc.; this will be an overnight event.

VI. ITEMS BY THE PUBLIC

There were no items by the public.

VII. MATTERS BY THE COMMISSION

There were no matters by the Commission.

VIII. ADJOURNMENT

There being no further business, the regular meeting was adjourned at 5:15 p.m.

Respectfully Submitted,

Terry O'Neill
Secretary to the Commission

APPROVED BY:

Tommy Southall
Chairman

AGENDA REVIEW

ITEM NO: ZOA 195-2016
DATE: 9/01/2016

PREPARED BY: Mike Hayes, AICP
PHONE #: 757-728-5244

SUBJECT: Ordinance To Amend And Reenact Chapter 2 Of The Zoning Ordinance Of The City Of Hampton, Virginia Entitled “Definitions” By Amending Section 2-2 Entitled, “Definitions” To Create The Definition Of Banquet Hall.

ACTION REQUESTED OF COMMISSION: Recommend approval of the ordinance.

BRIEF BACKGROUND STATEMENT:

Chapter 2 of the zoning ordinance addresses definitions. This amendment is brought forward in conjunction with ZOA 196-2016. Together these two amendments introduce “banquet hall” as a permitted use in the zoning ordinance. Currently, banquet halls are only permitted as an accessory to certain uses, such as hotels and restaurants or as an activity of a private club or lodge when the event is sponsored by a member.

The amendment of Chapter 2 provides a definition of banquet hall, which is intended to create a use that is distinctly a banquet hall and not a nightclub or similar use open to the general public. The definition specifically states that the hall can only be leased for private events. By adding banquet hall as a potential use, the City creates an opportunity to further one of the economic development priorities of being a regional retail and entertainment destination as well as a tourist destination (Hampton Community Plan, 2006 as amended, pg. LU-17 and ED-23).

ADDITIONAL REFERENCE MATERIAL AVAILABLE: Redline ordinance, Presentation

DATES ADVERTISED: Planning Commission: September 22, 2016 and September 29, 2016

1 **Ordinance to Amend and Reenact the Zoning Ordinance of the City of Hampton, Virginia**
2 **by Amending Chapter 2 Entitled, “Definitions” Pertaining to Definitions Related to**
3 **Banquet Hall**

4
5
6 **WHEREAS**, the public necessity, convenience, general welfare, and good zoning practice so
7 require;

8
9 **BE IT ORDAINED** by the City Council of the City of Hampton, Virginia, that section 2-2 of the
10 zoning ordinance of the City of Hampton, Virginia be amended to read as follows:

11
12 **Chapter 2 – DEFINITIONS**

13
14

15
16 **Sec. 2-2. - Definitions.**

17

18 **Banquet hall. A facility constructed with or without a kitchen, leased for the**
19 **purpose of hosting private social events not open to the general public, with or without**
20 **live entertainment, where food and/or drink may be consumed on site.**

Planning Commission

Banquet Hall Zoning Ordinance Amendments 195-2016 & 196-2016

September 1, 2016



HAMPTON VA

CURRENT ORDINANCE

- Not a stand alone use
- Permitted accessory use
 - Hotels
 - Restaurants
- Permitted as a function of a private club or lodge

PROPOSED ORDINANCE

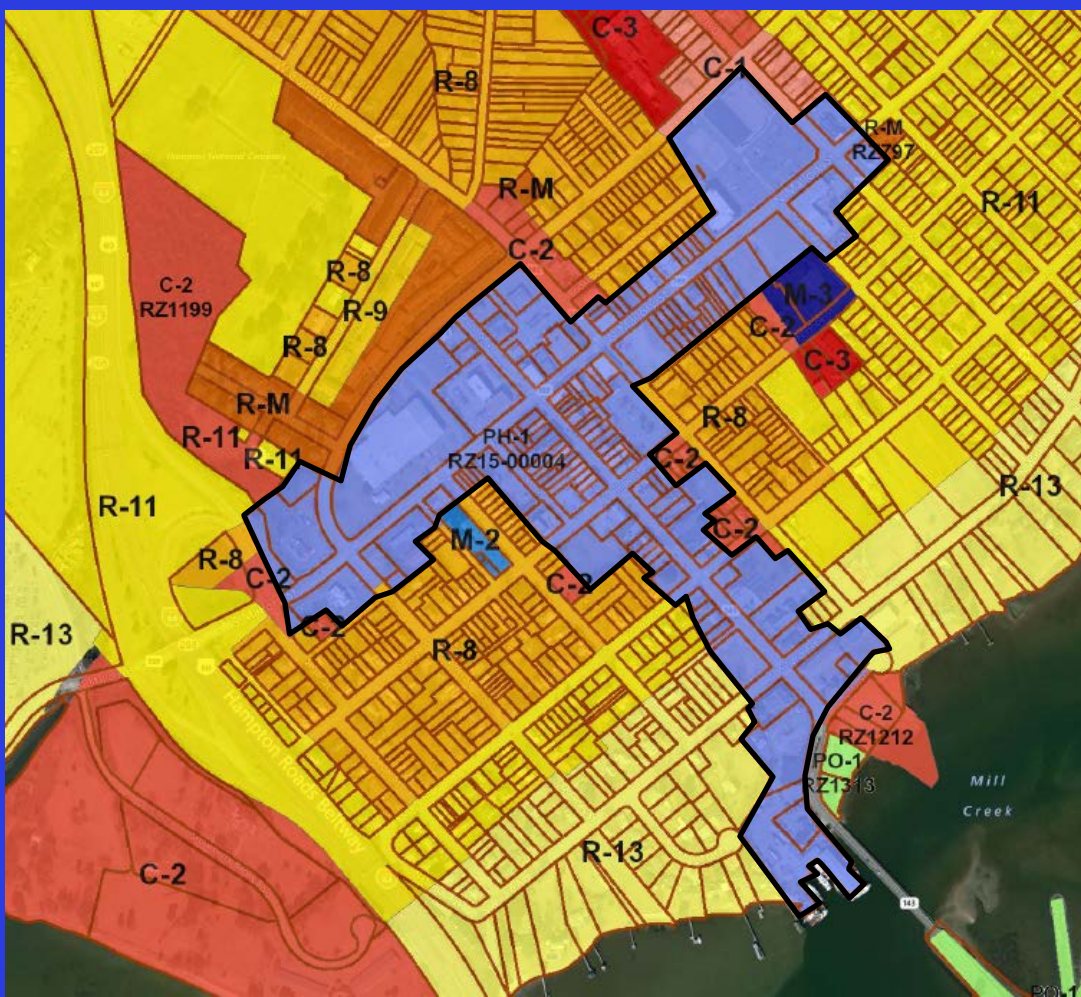
- Permitted use
- Specific to older, walkable districts
- Standard conditions

DEFINITION

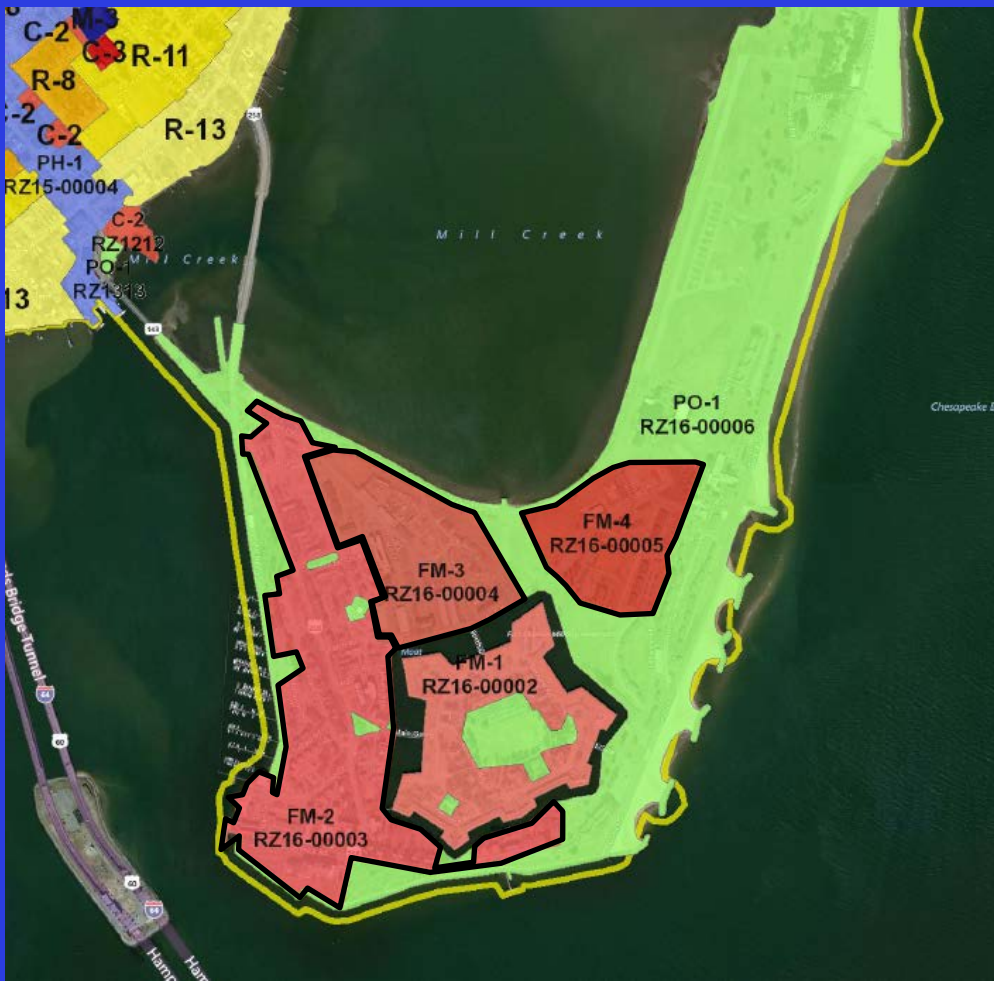
Banquet Hall:

A facility constructed with or without a kitchen, leased for the purpose of hosting private social events not open to the general public, with or without live entertainment, where food and/or drink may be consumed on site.

Phoebus Business



Fort Monroe Inner Fort, Historic Village, North Gate, and Wherry Corridor



FM-2 (Historic Village)
requires Use Permit

FM-1, FM-3 & FM-4
require Zoning
Administrator Permit

STANDARD CONDITIONS

- Events shall be private and not open to the public
- Events end by 1:00 a.m.
- Occupancy cannot exceed that of the occupancy certificate
- Live entertainment shall comply with the City's noise ordinance
- Staff shall monitor the behavior of patrons leaving the hall into surrounding areas
- Operators must obey federal, state, and local laws, explicitly including those related to VABC

STANDARD CONDITIONS

- Operation must comply with the standard limitation on dance floor area
- No events by third party promoters for profit are permitted
- Liability insurance is required
- Review similar to that for live entertainment permits shall occur
- The Zoning Administrator has the ability to revoke the permit for violation of any condition
- No new approval for 1 year if ZA permit revoked

RECOMMENDATION

STAFF: Recommend **Approval** of
ZOA 195-2016 & ZOA 196-2016

AGENDA REVIEW

ITEM NO: ZOA 196-2016
DATE: 9/01/2016

PREPARED BY: Mike Hayes, AICP
PHONE #: 757-728-5244

SUBJECT: Ordinance To Amend And Reenact Chapter 3 Of The Zoning Ordinance Of The City Of Hampton, Virginia Entitled “Uses Permitted” By Amending Section 3-2 To Add “Banquet Hall” To The Use Table And Permit The Use In DT-1, PH-1, FM-1, FM-3, and FM-4 With A Zoning Administrator Permit, And FM-2 With A Use Permit, As Well As Section 3-3 Pertaining to Additional Standards As They Pertain To Banquet Halls.

ACTION REQUESTED OF COMMISSION: Recommend approval of the ordinance.

BRIEF BACKGROUND STATEMENT:

Chapter 3 of the zoning ordinance governs uses permitted in the city. Specifically, this amendment will establish the districts in which banquet halls are permitted within the city, as well as standard conditions required of their operation.

The proposed amendment permits banquet halls specifically in the Downtown Business (DT-1), Phoebus Business (PH-1), Fort Monroe Inner Fort (FM-1), Fort Monroe Historic Village (FM-2), Fort Monroe North Gate (FM-3), and Fort Monroe Wherry Quarter (FM-4) Districts. Banquet halls would be permitted with a zoning administrator permit, except for in FM-2 where an approved use permit would be required.

These districts are included for the addition of banquet hall as a use because they are identified as mixed-use areas appropriate for entertainment and tourist destinations, which is a priority economic development strategy according to the Hampton Community Plan (pg. LU-17, LU-21, and ED-23, 2006 as amended). These districts also represent walkable areas where other activities and people are likely to be nearby, as opposed to places where the hall would sit isolated and empty into a large parking lot.

The zoning administrator permit, as recommend be applied to DT-1, PH-1, FM-1, FM-3, and FM-4, is a mechanism which allows for the administrative revocation of the use if the property is found to be in violation of the standard conditions.

The Fort Monroe Historic Village District (FM-2) would require an approved use permit. A use permit would be required in this area because the village is largely residential with some opportunities for siting a larger commercial use, such as a banquet hall. The master plan for Fort Monroe recognizes specific buildings appropriate for such use and can be used as a basis for approval or denial of a banquet hall in a specific location. Revocation for violation of conditions of a use permit requires action by City Council.

The proposed standard conditions include:

- Events shall be private and not open to the public
- Occupancy cannot exceed that of the occupancy certificate
- Live entertainment shall comply with the City's noise ordinance
- Staff shall monitor the behavior of patrons leaving the hall into surrounding areas
- Operators must obey federal, state, and local laws, explicitly including those related to VABC
- Operation must comply with the standard limitation on dance floor area
- No events by third party promoters for profit are permitted
- Liability insurance is required
- Review similar to that for live entertainment permits shall occur
- The ability to revoke the permit for violation of any condition

More information on the proposed day care regulation changes can be found in the red line and the use table.

This amendment is in conjunction with ZOA 195-2016, which creates the definition of a banquet hall.

ADDITIONAL REFERENCE MATERIAL AVAILABLE: Redline ordinance, Use Table

DATES ADVERTISED: Planning Commission: September 22, 2016 and September 29, 2016

| | R-LL | R-43 | R-R | R-33 | R-22 | R-15 | R-13 | R-11 | R-9 | R-8 | R-4 | MD-1 | MD-2 | MD-3 | MD-4 | R-M | C-1 | C-2 | C-3 | M-1 | M-2 | M-3 | LFA-1 | LFA-2 | LFA-3 | LFA-4 | LFA-5 | LFA-6 | RT-1 | BB-1 | BB-2 | BB-3 | BB-4 | BB-5 | HRC-1 | HRC-2 | HRC-3 | DT-1 | DT-2 | DT-3 | PH-1 | FM-1 | FM-2 | FM-3 | FM-4 | PO-1 | PO-2 | | | | | |
|--|------|------|-----|------|------|------|------|------|-----|-----|-----|------|------|------|------|-----|-----|-----|-----|-----|-----|-----|-------|-------|-------|-------|-------|-------|------|------|------|------|------|------|-------|-------|-------|------|------|------|------|------|------|------|------|------|------|--|--------------|--------------|--------------|--|
| office, taxicab | | | | | | | | | | | | | | | | | P | P | P | | P | P | P | P | | | | | | P | | | | | | | | P | P | | | | | | | | | | | | | |
| outdoor dining 1 | | | | | | | | | | | | | | | | | ZA* | ZA* | ZA* | | ZA* | | | | | | | | ZA* | | | | ZA* | ZA* | ZA* | | | | | | | | ZA* | ZA* | ZA* | ZA* | | | | Sec. 3-3(12) | | |
| outdoor dining 2 | | | | | | | | | | | | | | | | | UP* | UP* | UP* | | UP* | | | | | | | | UP* | | | | UP* | UP* | UP* | | | | | | | | UP* | UP* | UP* | UP* | | | | Sec. 3-3(13) | | |
| outdoor dining, downtown | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | ZA* | ZA* | | | | | | | | | | Sec. 3-3(14) | | | |
| outdoor dining, Phoebus | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | Sec. 3-3(48) | | |
| pawn shop | | | | | | | | | | | | | | | | | | UP | UP | | UP | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| print shop/private postal service, max. 500 sq. ft. | | | | | | | | | | | | | | | | | P | | | | | | | | | | | | | P | | | | | | | | P | P | | | | | | | | | | | | | |
| print shop/private postal service, max. 3000 sq. ft. | | | | | | | | | | | | | | | | | | P | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| print shop/private postal service, no max. | | | | | | | | | | | | | | | | | | | P | P | P | P | P | P | | P | P | P | | | | | P | P | P | P | P | P | | | | P | | | | | | | | | | |
| restaurant, without drive-through | | | | | | | | | | | | | | | | | P | P | P | P | P | | | P | | | | | | P | | | | P | P | P | P | P | P | | | UP | UP | UP | P | | | | | | | |
| restaurant, with drive-through | | | | | | | | | | | | | | | | | P | P | P | P | P | | | P | | | | | P | | | | P | P | P | | P | P | P | P | P | | | UP | | | | | | | | |
| restaurant, drive-in | | | | | | | | | | | | | | | | | | P | P | | P | | | P | | | | | | | | | P | P | P | | P | | | | | | | | | | | | | | | |
| restaurant, accessory, not to include drive-through | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | P | | | | | | | | | | | | | | | | |
| retail sales, general^A | | | | | | | | | | | | | | | | | P | P | P | | P | | | P | | | P | | P | | | | P | P | P | | P | | | P | P | | P | UP | UP | UP | UP | | | | | |
| rummage sale, temporary | | | | | | | | | | | | | | | | | P* | P* | P* | | P* | | | | | | | | | P* | | | | | | | | P* | P* | | P* | | | P* | | | | | | Sec. 3-3(15) | | |
| second-hand store | | | | | | | | | | | | | | | | | | P* | P* | | P* | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | Sec. 3-3(16) | |
| sign painting shop | | | | | | | | | | | | | | | | | | P | P | | P | | P | P | | | | | | | | | | | | | | | | | | | | P | | | P | | | | | |
| storage facility | | | | | | | | | | | | | | | | | | | UP | | UP | UP | P | P | | | P | | P | | | | | | | | | | | | | | | | | | | | | | | |
| tattoo parlor | | | | | | | | | | | | | | | | | | UP | UP | | UP | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| tire sales | | | | | | | | | | | | | | | | | | P* | P* | | P* | | P | P | | | | | | | | | | | | | | | | | | | | | | | | | | | Sec. 3-3(17) | |
| tire repair | | | | | | | | | | | | | | | | | | P* | P* | | P* | P | P | P | | | | | | | | | | | | | | | | | | | | | | | | | | | Sec. 3-3(17) | |
| Turkish bath | | | | | | | | | | | | | | | | | P | P | P | | P | | | | | | | | P | | | | | | | | | P | P | | P | | | | | | | | | | | |
| upholstery shop | | | | | | | | | | | | | | | | | | P | P | | P | | | | | | P | | P | | | | | | | | | | | | | | | P | | | P | | | | | |
| vehicle repair, heavy | | | | | | | | | | | | | | | | | | P | | | P | P | P | P | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| vehicle repair, light | | | | | | | | | | | | | | | | | P | P | P | | P | P | P | P | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| vehicle sales, of new vehicles, to include sales of used vehicles as accessory to new sales | | | | | | | | | | | | | | | | | | P | P | | P | | P | P | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| vehicle sales, of used vehicles | | | | | | | | | | | | | | | | | | | P | | P | | UP | UP | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| vehicle storage, including vehicle storage accessory to sales of new vehicles or gas station | | | | | | | | | | | | | | | | | | UP* | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

[illegible]

1 **Ordinance To Amend And Re-Enact Chapter 3 Of The Zoning Ordinance Of The City Of**
2 **Hampton, Virginia Entitled “Uses Permitted” By Amending Section 3-2 To Add Banquet**
3 **Hall In The Use Table and Section 3-3 Pertaining To Additional Standards On Permitted**
4 **Uses.**

5
6 **Whereas**, the public necessity, convenience, general welfare and good zoning practice so
7 require;

8
9 **BE IT ORDAINED** by the Council of the City of Hampton, Virginia that chapter 3 of the Zoning
10 Ordinance of the City of Hampton, Virginia, be amended and re-enacted as of July 1, 2016 as
11 follows:

12
13 **CHAPTER 3 – USES PERMITTED**

14
15 ...

16
17 **Sec. 3-2. Table of uses permitted.**

18 [See attached use table for changes.]

19
20 ...

21
22 **Sec. 3-3. Additional standards on uses.**

23
24 The following uses have additional standards:

25
26 ...

27 (51) ***Banquet hall** in the PH-1, DT-1, FM-1, FM-3, and FM-4 districts are subject to*
28 *a zoning administrator permit with the following attached conditions:*

- 29 (i) *Events shall be private and not open to the general public, whether or not*
30 *a fee is charged;*
31 (ii) *The hours of operation for a banquet hall shall not extend beyond 6:00*
32 *a.m. to 1:00 a.m. the following day.*
33 (iii) *During the time of any event, occupancy shall not exceed the number*
34 *listed on the capacity certificate;*
35 (iv) *Live entertainment shall comply with City Code section 22-9 with respect*
36 *to any sound or noise;*
37 (v) *Sufficient staff shall be provided to monitor patron behavior upon their exit*
38 *of the building into the surrounding areas;*
39 (vi) *When required by law, the restaurant must maintain a valid license from*
40 *the Virginia Department of Alcoholic Beverage Control (VABC) and*
41 *comply with all restrictions or requirements imposed by VABC. In*
42 *addition, the banquet hall permit may be terminated for any violation of*
43 *federal, state, or local law;*
44 (vii) *The property owner shall comply with section 4-16 of the Hampton City*
45 *Code with respect to dancing on the premises and dance floor area;*

- (h) Neither the facility nor any portion of it shall be leased, let, or used by any third party to stage an event for profit. No outside promoter shall be permitted to use, operate, rent, or host any event at the facility;
- (i) The operator must provide proof of and maintain liability insurance underwritten by insurers, indemnifying the property owner and operator against all claims which may arise in connection with the proposed activity.
- (j) The banquet hall permit shall be valid for eighteen (18) months from the date of approval by the zoning administrator. After twelve (12) months of operation, prior to the expiration date, the banquet hall permit will be scheduled for review by the zoning administrator to consider if the continuation of the banquet hall permit would not be detrimental to the public health, safety and welfare and that to continue the activities under the banquet hall permit would not cause public inconvenience, annoyance, disturbance or have an undue impact on the community or be incompatible with other uses of land in the zoning district. The review will be based, in part, upon a physical site review, traffic flow and control, access to and circulation within the property, off-street parking and loading, hours and manner of operation, noise, light, neighborhood complaints, police service calls, and any violations of any federal, state or local law. If, after review, the zoning administrator determines that the banquet hall permit would not be detrimental to the public health, safety and welfare and that to continue the activities under the banquet hall permit would not cause public inconvenience, annoyance, disturbance or have an undue impact on the community or be incompatible with other uses of land in the zoning district, the zoning administrator may administratively extend the banquet hall permit in five-year increments. Each such extension shall be subject to the same administrative review. If the zoning administrator determines that that the banquet hall permit would be detrimental to the public health, safety and welfare and that to continue the activities under the banquet hall permit would cause public inconvenience, annoyance, disturbance or have an undue impact on the community or be incompatible with other uses of land the zoning district, the zoning administrator will notify the permittee of a denial of the extension in writing in the same manner as required under chapter 1 of the zoning ordinance. A permittee aggrieved by the decision of the zoning administrator may appeal the decision of the zoning administrator to the board of zoning appeals in the manner set forth in chapter 13 of the zoning ordinance. Nothing contained herein shall limit the rights of a permittee to seek a new banquet hall permit; and
- (k) The zoning administrator, or appointed designee, shall have the ability to revoke the banquet hall permit upon violation of any of the above conditions.

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(l) *No zoning administrator permit for a banquet hall shall be issued for a location where a zoning administrator permit for a banquet hall was revoked within the previous 12 months.*

YOUTH PLANNER MEMO



MEMORANDUM

TO: Hampton Planning Commission
FROM: Virgil Thornton II, Youth Planner
DATE: August 16, 2016
SUBJECT: Update on the Youth Planner Program and Hampton Youth Commission

The month of August was a very important time for the Hampton Youth Commission as it marked their annual HYC Retreat. During this retreat, both new and old Youth Commissioners received a refresher on the interworking of the commission, got to know each other on a closer level, and were introduced to new ideas for this HYC year.

The morning portion took place on August 19th from 9:30AM – 11:30AM and consisted of various time slots dedicated to introductions. These introductions focused not only on staff and commissioners, but also on the history, ideas, concepts associated with the HYC. These concepts included: norms, goals, responsibilities, and special projects.

The afternoon portion took place on August 19th from 12:15PM – 5:30PM and focused on going in depth about the things introduced in the morning portion. Subjects such as the 2020 Youth Master Plan and the Youth in Government 20th Anniversary Celebration were explained in depth, and the importance of youth voice and communication with City Council was also highlighted.

The evening portion took place on August 19th from 6:30PM – 11:30PM and concentrated on the HYC's actions within itself. During this period, they conducted votes on both policies and officers, and they also participated in a Commitment Ceremony which bound their devotion with the Commission.

Though the HYC has a big year ahead of them, with the retreat under their belt and the natural energy of the commissioners, the results look promising.